

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES

EUGENE C. THACH, PRESIDENT, PRESIDING

April 17, 2000

A. CALL TO ORDER

The April 17, 2000, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Eugene C. Thach of DeSoto County.

Chief Deputy Charles Brown of the DeSoto County Sheriff’s Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Supervisor Jessie Medlin-----District 1
Supervisor Eugene C. Thach----- District 2
Supervisor Gerald Clifton-----District 3
Supervisor John Caldwell-----District 4
Supervisor Tommy Lewis-----District 5
W. E. “Sluggo” Davis-----Chancery Clerk
David Armstrong-----County Administrator
William Austin-----Board Attorney

B. INVOCATION

The invocation was presented by Chancery Clerk W. E. “Sluggo” Davis.

C. OLD BUSINESS

1. Proposed Bond Issue - Certification of Petition for Referendum

Circuit Clerk Dale Thompson presented certified petition for a referendum to the Board of Supervisors. Ms. Thompson said that there is a total of 1,584 certified signatures on the petition. Supervisor John Caldwell made a motion and Supervisor Eugene Thach seconded the motion to accept the petition for a referendum as certified by the Circuit Clerk. The **motion passed** by a unanimous vote. ****See Exhibit C.1****

Supervisor John Caldwell asked if the Board has done all that is required to do by law about receiving the petition. Board Attorney Bill Austin said yes.

Mr. Austin said that the wording of the referendum is statutory and that the Board of Supervisors sets a date and then sends it to the Justice Department so that the date can be accepted. Mr. Austin said that the referendum has to be advertised for three consecutive weeks after the Justice Department approves the date. Mr. Austin said the dates that it is to be advertised will coincide with the election date that is set.

Supervisor Eugene Thach said the Board should consider rescinding the previous motion and issuing an intent to include the jail expansion, the library, and the roads specified at \$16 to \$18 million and do what is necessary not to increase taxes. Supervisor John Caldwell asked if the jail, library, and roads can be under one bond issue. Board Attorney Bill Austin said that it can

ITEM C.1, CONTINUED,

be under one bond issue if the Notice of Intent is worded to be unspecific about projects. Mr.

Austin said that it can be worded as a bond issue for the construction of roads and the construction of buildings.

Supervisor Eugene Thach said a unanimous vote by the Board on this issue may deter a referendum. Supervisor Jessie Medlin said that the public wants to vote on bond issues no matter what the project is, as specified in the petition for a referendum.

Supervisor John Caldwell said that the bond issue needs to be complete and honest. Supervisor Jessie Medlin said the Board has been honest about its intentions for the bond issue. Supervisor Caldwell said that the public needs to know that a \$16 million bond issue without a tax increase will not include all proposed projects. Supervisor Tommy Lewis said contingencies will help keep taxes from increasing. Supervisor Caldwell said that the Board needs to paint a complete picture for the public. Supervisor Lewis and Supervisor Medlin said that they have given a complete picture. Supervisor Medlin said that he is tired of hearing that the Board is keeping something from the public when the items are discussed in open meetings and the press is present. Supervisor Medlin said he will not tell anyone that the County will not raise taxes, but he wants to raise taxes only as a last resort.

Supervisor Eugene Thach said the financial consultant said it will take 2.7 mills to do the proposed projects. Supervisor Thach said that it is time to stop borrowing money for road overlay. Supervisor Tommy Lewis said that if money is not borrowed for overlay, more millage will be needed causing a tax increase. Supervisor John Caldwell said that a bond issue for fifteen years for overlay is not a good option when a road is worn out in four years.

Supervisor Jessie Medlin asked if the contingency fund can be used for roads and bridges. Board Attorney Bill Austin said that the general fund can not be used for roads and bridges.

Supervisor John Caldwell said that the Board also needs to consider the possibility of funding full time county fire departments. Supervisor Eugene Thach said that if the public wants full time county fire departments, they need to know what cost it will be to the public.

Supervisor John Caldwell asked if there is a time limit on the referendum. Board Attorney Bill Austin said no. Mr. Austin said the Board has the option not to have the referendum or the option of setting an election date.

Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to hold this item until May 1, 2000. The **motion passed** by a unanimous vote.

2. Fee Officers's Earning Report

In accordance with Section 7-3-45 of the Mississippi Code, which states each and every constable being compensated in whole or in part on a fee basis shall file not later than April 15 of each year, with the Secretary of State, a true and accurate annual report on a form supplied to each by the State Auditor of Public Accounts immediately after January 1 of each year, to include at least information showing gross receipts from all sources accruing as compensation to his office and disbursements occurring as necessary expenses involved solely in complying with laws governing the office, Supervisor Gerald Clifton made a motion and Supervisor John Caldwell seconded the motion to accept the Fee Officers' Earning Report of Constable Joe Holmes and Constable Gere Easley for the 1999 Calendar Year into the minutes. The **motion passed** by a unanimous vote. ****See Exhibit C.2****

ITEM C.3, CONTINUED,

3. Hull Dobbs Ranch - Rezoning from A-R to PUD 622 Acres

The Planning Commission brought this item before the Board of Supervisors as evidenced by

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the portion of the minutes submitted by the Planning Commission. ****See Exhibit C.3****

D. NEW BUSINESS

1. Barbara Vick - Scenic Hollow Subdivision

Barbara Vick, who resides in Scenic Hollow Subdivision in DeSoto County addressed the Board of Supervisors to request that the Board reconsider their past approval to build a road in an existing subdivision. Ms. Vick said the road was stubbed out and shows clearly on the plat, but was never built.

Supervisor Gerald Clifton explained that Mrs. Long has 40 acres on the back of Ms. Vick's property. Mrs. Long's two children have built homes behind her house and the neighbor denied Mrs. Long's family future access to the drive she has always used. Supervisor John Caldwell asked if final approval has been given to the Long family for the division of their property. Planning Director Merritt Powell said yes and that the road was stubbed out for that purpose. Ms. Vick said she is also concerned about potential drainage problems that the new road may cause due to the way the property is laid out.

Supervisor Gerald Clifton made a motion and Supervisor Tommy Lewis seconded the motion to carry this item over until May 1, 2000 to allow Supervisor Clifton to meet with the other landowners in the area. The **motion passed** by a unanimous vote. ****See Exhibit D.1****

2. Public Hearing - Abandoning 1.33 Acres Near Old Pigeon Roost and Red Banks Road

Supervisor Gerald Clifton made a motion and Supervisor Tommy Lewis seconded the motion to open the public hearing considering the abandonment of 1.33 acres near Old Pigeon Roost Road and Red Banks Road. The **motion passed** by a unanimous vote. ****See Exhibit D.2****

Supervisor Eugene Thach asked for comments from the public on this issue. No person came forward to address the Board of Supervisors.

Supervisor Tommy Lewis made a motion and Supervisor Jessie Medlin seconded the motion to close the public hearing. The **motion passed** by a unanimous vote.

Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to appoint Supervisor Tommy Lewis and Supervisor Eugene Thach as the committee to inspect abandoning 1.33 acres near Old Pigeon Roost Road and Red Banks Road for possible abandonment. The **motion passed** by a unanimous vote.

3. Approval to Pay Poll Workers

Supervisor Jessie Medlin made a motion and Supervisor Tommy Lewis seconded the motion to authorize the clerk to write checks to pay the poll workers for work on the Democratic runoff on April 4, 2000. The **motion passed** by a unanimous vote. ****See Exhibit D.3****

4. Tax Assessor - Petition for Changes in Assessments

At the recommendation of Tax Assessor Parker Pickle, Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to delete parcel 2092-0900.0-00001.02 for the 1997 and 1998 tax years as a double assessment. The **motion passed** by a unanimous vote.

ITEM D.4, CONTINUED,

****See Exhibit D.4****

5. Approval of Notary Public for Administration Building

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County Administrator David Armstrong explained that the Tax Assessor and Tax Collector formerly used the notary services of the Chancery and Circuit Clerks. Now, in the new building, it is inconvenient for citizens to walk between the buildings and recommended appointing a second notary for the Administration Building in addition to Bonnie Gatlin. Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to appoint Ann Richmond as a notary public for the Administration Building and to authorize the Clerk to write the check in connection with fees associated with her bond and certification. The **motion passed** by a unanimous vote.

6. School Bus Turnarounds

County Administrator David Armstrong presented letters to the Board of Supervisors from DeSoto County Schools Superintendent Jerry Baird requesting that the county maintain the school bus turnarounds for the 1999-00 school year at the following addresses:

Barbara Carmon, 2280 N. Bankston Road, Nesbit, Bus #25
Colleen Haire, 4115 Edwin Road, Walls, Bus #43
Cindy Kendrick, 2421 Pleasant Hill Road, Nesbit, Bus #111/158

In accordance with Section 19-3-42, Mississippi Code of 1972 as amended, stating that the school bus turnarounds will be built, maintained and improved, Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to maintain and improve the properties listed in the Superintendent's letters dated March 27, 2000, March 30, 2000, and April 4, 2000 as school bus turnarounds for the 1999-00 school year, and to direct the County Road Manager to carry out this order of the Board forthwith. The **motion passed** by a unanimous vote. ****See Exhibit D.6****

7. Tax Exemption - Quebecor

Jim Flanagan of the DeSoto Council and Jack Brown of Quebecor addressed the Board of Supervisors to request a memorandum of agreement for a tax exemption for future expansions of Quebecor. Jack Brown explained that Quebecor is considering possible expansion for equipment and two new presses. Mr. Brown said the expansion will provide an additional 100 jobs at an average wage of \$12.50 an hour. Mr. Brown said that there is also the possibility of expanding the building up to 100,000 square feet.

County Administrator David Armstrong asked if Quebecor is now Quebecor World. Mr. Brown said yes and that the name changed when Quebecor International purchased World Color Press.

Jim Flanagan said that Quebecor has an existing Freeport Warehouse exemption and that Quebecor is one of the highest taxpayers in DeSoto County with approximately 450 employees.

Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to enter a memorandum of agreement with Quebecor for a ten year ad valorem tax exemption for future expansions of Quebecor. The **motion passed** by a unanimous vote. ****See Exhibit D.7****

8. Budget Amendment

a. Board of Supervisors

ITEM D.8.a, CONTINUED,

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1999, and ending September 30, 2000. Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to approve a budget amendment for the Board of Supervisors under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

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Decrease	001-100-479	Travel Out of State	\$4,000.00
Increase	001-100-476	Meals & Lodging	\$4,000.00

The **motion passed** by a unanimous vote. ****See Exhibit D.8.a****

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1999, and ending September 30, 2000. Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to approve a budget amendment for the Board of Supervisors under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Decrease	001-100-570	Insurance & Fidelity	\$ 900.00
Increase	001-100-521	Legal Advertising	\$ 700.00
Increase	001-100-602	Reporting Supplies	\$ 200.00

The **motion passed** by a unanimous vote. ****See Exhibit D.8.a****

b. Extension Service

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1999, and ending September 30, 2000. Supervisor Gerald Clifton made the motion and Supervisor Tommy Lewis seconded the motion to approve a budget amendment for the Extension Service under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Decrease	001-631-934	Furniture & Fixtures	\$ 500.00
Increase	001-631-933	Office Mach & Equip	\$ 500.00

The **motion passed** by a unanimous vote. ****See Exhibit D.8.b****

c. Operations and Maintenance

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1999, and ending September 30, 2000. Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve a budget amendment for Operations and Maintenance under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Decrease	001-150-934	Furniture & Fixtures	\$ 850.00
Increase	001-150-502	Phones	\$ 350.00
Increase	001-150-545	Other Repairs & Maint	\$ 500.00

The **motion passed** by a unanimous vote. ****See Exhibit D.8.c****

ITEM D.8.d, CONTINUED,

d. Information Systems

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1999, and ending September 30, 2000. Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to approve a budget amendment for Information Systems under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

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Decrease	001-152-443	Asst Programmer Salary	\$ 750.00
Increase	001-152-587	Training	\$ 750.00

The **motion passed** by a unanimous vote. ****See Exhibit D.8.d****

e. Tax Assessor

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1999, and ending September 30, 2000. Supervisor Gerald Clifton made the motion and Supervisor Jessie Medlin seconded the motion to approve a budget amendment for the Tax Assessor under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Decrease	001-103-581	Reappraisal Update	\$8,500.00
Increase	001-103-936	Computer Equipment	\$8,500.00

The **motion passed** by a unanimous vote. ****See Exhibit D.8.e****

f. Youth Services

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1999, and ending September 30, 2000. Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to approve a budget amendment for Youth Services under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Increase	001-164-413	Preparing Minutes	\$5,000.00
Decrease	001-164-460	Clerks Fees	\$5,000.00

The **motion passed** by a unanimous vote. ****See Exhibit D.8.f****

9. Approval of Late Bill - Mills Morris Business Products

Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to approve a late bill to Mills Morris Business Products for an invoice inadvertently left off of the Claims Docket and authorized the Clerk to write the check. The **motion passed** by a unanimous vote. ****See Exhibit D.9****

10. Circuit Clerk Allowances

The allowances for the Circuit Court Clerk for the March, 2000 in the amount of \$2,730.00 for Youth Court and \$2,190.00 for January, 2000 and \$1,200.00 for March, 2000 for the Vacation Days Allowances were presented to the Board of Supervisors for approval. Supervisor Tommy **ITEM D.10, CONTINUED,**

Lewis made the motion and Supervisor John Caldwell seconded the motion to approve the Circuit Court Clerk Allowances pursuant to Sections 25-13-7(m), 43-21-205 and 25-7-13 of the Mississippi Code of 1972, Annotated and authorized the Clerk to write the check. The **motion passed** by a unanimous vote. ****See Exhibit D.10****

11. Authorization to Open Bids

- a. Food Supplies on April 28, 2000**
- b. Re-roof D. A.’s Office on May 5, 2000**
- c. One ton truck on May 5, 2000**

- d. Hot Asphalt Overlay on May 12, 2000
- e. State Aid Project STP-1969(2)B on May 15, 2000

Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to authorize the County Administrator or his representative to open bids for food supplies on April 28, 2000, to re-roof the D. A.’s Office on May 5, for a one ton truck on May 5, 2000, for hot asphalt overlay on May 12, 2000, and for State Aid Project STP-1969(2)B on May 15, 2000. The **motion passed** by a unanimous vote. ****See Exhibit D.11****

12. Homestead Exemptions

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the petition to adjust the homestead exemption supplemental roll as presented by the Chancery Clerk. The **motion passed** by a unanimous vote. ****See Exhibit D.12****

13. Approval to Pay Expenses for Circuit Court Trial (George)

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to approve payment of the expenses accrued during the Leighton George trial in Circuit Court associated with food and hotel and authorized the Clerk to write the checks. The **motion passed** by a unanimous vote. ****See Exhibit D.13****

14. Approval of Special Prosecutor for Justice Court for April 20, 27, and 28

At the recommendation of Justice Court Clerk Linda Aldridge, Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to appoint Larry Vaughn as special prosecutor for Justice Court on April 20, April 27, and April 28, 2000 while Craig Treadway is out of town and to authorize County Administrator David Armstrong to negotiate the daily fee for the special prosecutor. The **motion passed** by a unanimous vote. ****See Exhibit D.14****

15. Rejecting Bids for One Ton Truck for Civil Defense and Approval to Purchase off State Contract

County Administrator David Armstrong informed the Board of Supervisors that T. H. Walker, Director of Civil Defense found a local dealership from which the one ton truck for Civil Defense can be purchased off State Contract. Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to reject the bids for a one ton truck for Civil Defense and to approve the purchase of a one ton truck for Civil Defense off of State Contract at a cost of \$28,886.00 from Homer Skelton Ford. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene Thach-----NO
Supervisor Gerald Clifton-----YES
Supervisor John Caldwell-----YES

ITEM D.15, CONTINUED,

Supervisor Tommy Lewis-----YES

****See Exhibit D.15****

16. Request for Assistance - Magnolia Community Park

Supervisor Jessie Medlin informed the Board of Supervisors that the City of Olive Branch requested assistance from the County to build a road base for the Magnolia Community Park. Supervisor Medlin said that the City of Olive Branch will supply the materials and the County will be responsible for the equipment and labor.

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Board Attorney Bill Austin said that the Interlocal Agreement between the County and the City of Olive Branch outlines provisions that allow the County to provide services for the parks.

Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to authorize the County to provide the equipment and labor for the road base for Magnolia Community Park with the City of Olive Branch providing the materials. The **motion passed** by a unanimous vote. ****See Exhibit D.16****

Will McNeer, Park Director for the City of Olive Branch said he appreciates the Board’s support of the County’s parks.

17. Planning Commission - Equipment

This item was held over by the Board of Supervisors.

E. EXECUTIVE SESSION

The “Executive Session” portion of this meeting is presented under the portion of minutes called “Executive Session.

F. OTHER ISSUES

1. Relocating Voting Precincts

Ted Mayhall of the DeSoto County Election Commission addressed the Board of Supervisors about relocating the Horn Lake East and Horn Lake West voting precincts. Mr. Mayhall said that the Horn Lake East precinct needs to be moved because the old City Hall is now closed and that the Election Commission recommends it to be moved to Horn Lake Fire Station #1. Mr. Mayhall proposed moving the Horn Lake West precinct from Horn Lake Fire Station #1 to the new City Hall so that it will be in the correct district. Mr. Mayhall explained that it has been located in District 4 because there has not been an appropriate location in District 3 until now.

Supervisor John Caldwell said he is okay with moving Horn Lake West to the new City Hall but is concerned about moving Horn Lake East to the fire station due to inadequate parking space. Supervisor Caldwell said that Horn Lake East has more registered voters than Horn Lake West and that the fire station cannot accommodate the increase in voters. Supervisor Caldwell suggested using the Horn Lake High School gymnasium for the Horn Lake East precinct.

Supervisor Gerald Clifton made a motion and Supervisor John Caldwell seconded the motion to relocate the Horn Lake West voting precinct from Horn Lake Fire Station #1 located at 6770 Tulane Road to the new Horn Lake City Hall located on the corner of Tulane Road and Highway 302 (Goodman Road) and to take the relocation of the Horn Lake East precinct under advisement. The **motion passed** by a unanimous vote. ****See Exhibit F.1****

ITEM F.2, CONTINUED,

2. Approval of Bill for Additional Moving Charges

Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to approve payment of \$800.00 to Apex & Robert E. Lee for additional charges incurred due to the delay of moving from the Courthouse to the Administration Building to be paid from fund 360-100-910. The **motion passed** by a unanimous vote. ****See Exhibit F.2****

3. Sewer Study

Supervisor Tommy Lewis gave an overview of the recent Sewer Study meeting in Washington, D. C. Supervisor Lewis informed the Board that the meeting was very promising and that he was advised that funds will be appropriated to DeSoto County this year for the sewer program.

4. Chancery Clerk

Chancery Clerk Sluggo Davis informed the Board of Supervisors that the \$9,000.00 for collecting city taxes that was falling under the Chancery Clerk cap will be discontinued.

5. Justice Court Special Prosecutor

Vanessa Lynchard notified the Board of Supervisors that Justice Court Clerk Linda Aldridge needed to appoint a special prosecutor for Justice Court today because Craig Treadway will not be there today. Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to authorize Justice Court Clerk Linda Aldridge to appoint a prosecutor for Justice Court for April 17, 2000. Board Attorney Bill Austin said that the Board needed a name before approval can be given. Supervisor Medlin withdrew his motion and Supervisor Caldwell withdrew his second.

Later in the meeting, Vanessa informed the Board that Linda Aldridge spoke to Allen Couch, Jr. and he can work Justice Court this afternoon. Vanessa said that Mr. Treadway is out of town and that this date was overlooked. Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to appoint Allen Couch, Jr. as special prosecutor for Justice Court for April 17, 2000 with the fee to be negotiated by the County Administrator. The **motion passed** by a unanimous vote.

6. Hacks Cross Road North of Goodman Road

Supervisor Jessie Medlin informed the Board of Supervisors that both County Engineer Daniel Murphey and Board Attorney Bill Austin are comfortable advertising the first phase of Hacks Cross Road north of Goodman Road to be on target with the grant. Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to advertise the first phase of Hacks Cross north of Goodman Road. The **motion passed** by a vote as follows:

- Supervisor Jessie Medlin-----YES
- Supervisor Eugene Thach-----YES
- Supervisor Gerald Clifton-----YES
- Supervisor John Caldwell-----YES
- Supervisor Tommy Lewis-----ABSENT

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to adjourn until May 1, 2000 at 9:00 a.m. The **motion passed** by a unanimous vote.

THIS the 17th day of April, 2000, these minutes have been read and approved by the DeSoto County Board of Supervisors.

EUGENE C. THACH, President
DeSoto County Board of Supervisors

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